

Determinations and Decisions
of the Division - When Payments
May Not be Chargeable

Charges To Contributing Employers

Monetary factors that prevent charges to a contributing employer's account are:

- 1. If the gross amount of wages paid by such employer is \$400 or less during the individual's base period on which the benefit payments are based;
- 2. If the individual was on a probationary period of 28 consecutive days and such probation was reported to the Division on the quarterly report in which the employment was performed. The instructions for reporting are included with the "Missouri Quarterly Contribution and Wage Report" (MODES-4) forms set.

EXAMPLE:

16. Social Security Number	First Initial	Middle Initial	17. Worker Name Last Name	18 Total Wages Paid This Quarter	19. Probationary
000 00 0000	J	E	Doe	1,600	00 5-1-95 5-28-95 P

Nonmonetary factors that prevent charges to a contributing employer's account are:

If the Deputy's Determination

- 1. Disqualifies the claimant for being discharged due to misconduct connected with the work or for quitting without good cause attributable to the work or the employer;
- 2. Disqualifies the claimant for failure without good cause to accept suitable work offered by the employer;

The above nonmonetary determinations may also state that the disqualification is terminated because of subsequent work and earnings by the claimant; or a subsequent determination to one of the above determinations may separately state that the disqualification is terminated. In either case, the employer's account is still protected from charges by the disqualification originally assessed by the deputy.

- 3. Indicates the claimant quit the employer to accept more remunerative work or quit temporary work with the employer to return to work for a regular employer.
- 4. Indicates the claimant quit work, which was determined not suitable, within 28 calendar days of the first day worked.

When received, the Deputy's Determination should be reviewed for accuracy of the six-digit Missouri Employer Account Number. This account number should be the same as the Missouri Employer Account Number shown on quarterly wage reports.

If the employer disagrees with the determination issued by the deputy, the employer has thirty (30) days from the date the determination is mailed to file an appeal. The appeal may be filed by mail or FAX. If the appeal is made by mail, the postmark will determine the timeliness of the appeal.

The employ of Part-time workers may create the situation which allows charges, already made, to be credited at a later time. Charges may be credited if the employer continued to employ the individual on a regular recurring basis each week claimed during the charged period, to at least the same extent that the employer had previously employed the individual, and if the employer so informs the Division within thirty (30) days from the date of the Statement of Benefit Charges.

Charges To Reimbursable Employers

In August of 1993, legislation passed that affects account charge protection for all employers which elect to make payments in lieu of contributions. The factors shown above that prevent charges to a contributing employer will not exempt the reimbursable employer from liability for all benefit payments.

NOTE FOR ALL EMPLOYERS: To preserve your right of appeal of the benefit charges, a timely protest must be submitted within thirty (30) days of the mailing of the Statement of Benefit Charges.

If you have questions regarding your Statement of Benefit Charges, contact:

Benefits Section - (573) 751-4034
FAX (573) 751-7197

RELAY MISSOURI SERVICE:

Voice User Calling A
Hearing/Speech Impaired User
1-800-735-2466

Hearing/Speech Impaired User
Calling A Voice User
1-800-735-2966

Employer
Benefit
Charges

Under The
Missouri Employment
Security Law

Introduction

The information contained in this pamphlet is intended to provide Missouri employers with general information as an aid to understanding the agency's quarterly Statement of Benefit Charges and does not have the effect of law or regulation. The term "Employer" includes non-profit organizations, governmental entities and all businesses whether operating as a proprietorship, partnership or corporation.

The Statement of Benefit Charges, Form MODES-34

Mailing Date To Employers

We are required to mail a Statement of Benefit Charges to the employer each quarter in which a charge or credit is made to the account. The statement reflects all payments made or credits to the account during that quarter. If no charges or credits are assigned to the account, no statement will be sent for that quarter.

The Statement of Benefit Charges is mailed by the 30th of April, July, October and January, the months following the end of the calendar quarters. Each statement includes an instruction sheet. Please read the instruction sheet because it includes information and instructions which will be useful in dealing with our agency.

If, upon your review of the statement, you decide to protest any of the charges, submit your letter of protest within thirty (30) days from the date of mailing noted on the statement. See "Right of Protest" on your instruction sheet enclosed with the charge statement. This will preserve your right of appeal if you cannot accept the explanation of the charges to which you have objected.

What is a Benefit Charge?

A base-period employer determined chargeable during the quarter will be mailed a Statement of Benefit Charges. It will note the claim weeks paid to each individual claimant and amount charged for the benefits paid. The charge may or may not equal the weekly unemployment insurance benefit

paid to the claimant. The amount and computation of charges are determined by the total wages paid the claimant in what is called the "Base Period" of the individual's claim. The charge is a pro-rata share based on wages paid by the employer in the base period to total wages in the base period.

The quarterly charges made to an employer for benefits paid during the quarter are charged according to the ratio established by dividing the total base-period wages into the base-period wages paid by the employer. For example, if the ratio produced by the employer's wages to total base-period wages equals 25 per cent and the claimant's weekly benefit amount is \$100, then the charge to the employer will be \$25 for each claim week paid during the quarter.

Method of Financing

A private, for-profit employer will always be a tax paying or "Contributing" employer; there is no exception. Any governmental entity and any non-profit organization, who meets the IRS Code requirements described in Section 501(c)(3), however, may choose either the contributing method or elect to become liable for payments in lieu of contributions. This is called the "Reimbursement" method.

Contributing Employer

The Statement of Benefit Charges is the amount which has been **charged to your reserve account and is not a request for payment!**

Reimbursable Employer

The Statement of Benefit Charges will be attached to a "Debit Memorandum" advising the total **amount of the payment due**. This amount should be submitted promptly.

Benefit Year and Base Period

When an individual files for a new unemployment insurance claim and has sufficient employment to qualify for a valid claim, an effective date or benefit year beginning date is established. The claim will last one year from this date. The entitlement of the claim depends upon earnings during the base

period of the claim. The maximum weekly benefit amount is \$250 for initial claims filed after December 31, 2000, with a total entitlement of \$6,500. A maximum of 26 weeks at the full weekly benefit amount may be claimed during the 52 weeks of the benefit year. If the claim weeks are paid at less than the established weekly benefit, then weeks may be claimed until the benefit year ends or the monetary entitlement is exhausted. The most common reduction of weekly claim entitlement is due to wages, vacation pay and pensions.

The base period of a claim is defined as the first four of the previous five completed calendar quarters immediately preceding the quarter in which the claim benefit year begins.

See example below for how to determine the base period of any claim.

Qtrs. of Base Period				Lag Qtr. 5th	Qtr. of Year Claim Effective
1st	2nd	3rd	4th		
Oct Nov Dec	Jan Feb Mar	Apr May Jun	Jul Aug Sep		Jan Feb Mar
Jan Feb Mar	Apr May June	Jul Aug Sep	Oct Nov Dec		Apr May Jun
Apr May Jun	Jul Aug Sep	Oct Nov Dec	Jan Feb Mar		Jul Aug Sep
Jul Aug Sep	Oct Nov Dec	Jan Feb Mar	Apr May Jun		Oct Nov Dec

Extended Benefits

This program is established by federal laws and, basically, is required to be activated when the insured rate of unemployment in Missouri reaches 5 per cent for a 13-week period.

If an Extended Benefit (EB) claim is established, the maximum entitlement will be the lesser of 13 weeks or one-half the entitlement on the regular unemployment insurance claim, sometimes referred to as the "Parent" claim.

A governmental entity is liable for all Extended Benefit charges attributable to service in the

employ of such governmental entity. All other base-period employers of the parent claim are chargeable for one-half the entitlement established for the EB claim. The federal government will be charged the other one-half.

Please note that charges made will result only when EB weeks are claimed and paid. If the employer is charged for a week of Extended Benefits, this would be shown on the statement with the letters "EB" in the left-hand margin.

Notice of a Claim Being Filed

Employers may receive notices of new or renewed claims when former employees file for Missouri unemployment insurance. The notices of initial claims are labeled either "Last Employer" or "Base Period Employer". An employer may receive one or both of the initial claim notices.

If a valid initial claim has been established but has no claims activity for 28 days or more, a "renewal" of the claim is required. If there has been employment since the last activity, a notice of renewal is sent to the last, intervening employer. Employers initially notified when the claim was filed are not automatically notified of the renewal. Those wishing to be notified of renewals subsequent to the initial claim filing, must make a written request to the Regional Telephone Claims Center where the claim was filed.

When the employer receives a notice of initial or renewed claim and wishes to protest the payment of benefits, a signed protest must be received by the Division. To be timely, the protest must be made by the date shown in the notice; and,

- A) If by mail, must be postmarked by the date shown in the notice.
- B) If by FAX, must be received by midnight, central time, by the date shown in the notice.
(See page 7 for FAX number.)

Failure to protest the claim will make the employer's account subject to charges if benefits are paid. Any separation issue the employer did not protest within ten (10) days after being notified of the filing of an initial claim cannot be honored if the employer waits to raise the issue until the Statement of Benefit Charges is received.